

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
REGION 6

MURRAY AMERICAN ENERGY, INC. &)	
MARION COUNTY COAL COMPANY)	
)	
and)	Case Nos. 06-CA-148388
)	06-CA- 149117
UNITED MINE WORKERS OF AMERICA,)	
DISTRICT 31, LOCAL 9909, AFL-CIO, CLC)	

MOTION TO LEAVE TO FILE REPLY BRIEF

Come Richard Harrison (“Harrison”) and Jesse Stolzenfels (“Stolzenfels”)(jointly, “the miners”), the coal miners on whose behalf the United Mine Workers of America (“UMWA”) filed the above-numbered unfair labor practice cases, through counsel, and hereby move the Administrative Law Judge for leave to file a reply brief in this matter.

In support of their motion, Harrison & Stolzenfels state that each of the parties filed their initial briefs with the ALJ on or before last Friday, December 18th. Upon reviewing the brief filed by Murray American Energy/Marion County Coal (“the company”), the miners would like to address some of the arguments raised by the company in its brief. The miners understand that if the Court grants their motion, all other parties would also have the right to file a reply brief on the same date.

Harrison & Stolzenfels request that they be granted fifteen (15) days from the filing date of the initial briefs - i.e., on or before January 4, 2016 - in which to file their reply brief. This short period of time, particularly given that the Christmas and New Year’s holidays take place

during that period, will not cause undue delay in the resolution of this matter or otherwise prejudice any of the parties.

The undersigned counsel for the miners has communicated with counsel for the other parties to determine their position on this motion. The UMWA has no objection to the filing of reply briefs. The undersigned has not heard back from the attorneys for the company or the General Counsel.

WHEREFORE, for the foregoing reasons, Richard Harrison & Jesse Stolzenfels respectfully request the ALJ to grant them leave to file a reply brief in these consolidated proceedings on or before January 4, 2016.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Motion for Leave to File Reply Brief was filed - via the NLRB's electronic filing system - with the NLRB's Division of Judges in Washington, D.C. on this 22nd day of December, 2015.

I also certify that a true copy of the foregoing Motion for Leave to File Reply Brief was served via electronic mail on this 22nd day of December, 2015, on the following:

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